

# State of South Dakota

## SEVENTY-THIRD SESSION LEGISLATIVE ASSEMBLY, 1998

717B0536

### SENATE BILL NO. 80

Introduced by: Senators Vitter, Aker, Albers, Benson, Dennert, Hainje, Halverson, Ham, Hutmacher, Kleven, Lawler, Munson (David), Shoener, Staggers, and Whiting and Representatives Pederson (Gordon), Duniphan, Fitzgerald, Hassard, Koskan, Napoli, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to permit school districts to enter an agreement with a  
2 nonprofit organization to provide for construction, operation, and maintenance of facilities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 13-15 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The school board of a school district may enter into an agreement or contract with a  
7 nonprofit organization, if the provisions of the agreement or contract have been approved by the  
8 secretary of education and cultural affairs, to provide for the education of the children who reside  
9 within the school district and to provide for the construction, operation, and maintenance of any  
10 facility for the school district and the nonprofit organization upon terms and conditions as may  
11 be mutually agreed. The nonprofit organization shall be an exempt organization under section  
12 501(c)(3) or 501(c)(4) of the United States Internal Revenue Code.